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## TRANSMITTAL FORM

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Total Number of Pages in This Submission

Application Number	10782,454
Filing Date	
First Named Inventor	Marcus Allen Mills
Art Unit	3742
Examiner Name	John A. Jeffery
Attorney Docket Number	

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ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD. Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please Identify below):
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## Response to a first Office Action

Application No. 10/782,454

This communication is a response to a first non-final Office Action having a mailing date of 06/10/2005 and setting forth a shortened statutory period for response of three months which would expire on 10/10/2005.

The applicant will follow the examiner's detailed action under the same headlines.

### **Title of Invention**

The examiner has suggested a new title consisting of 18 words. The applicant does not agree with this suggested title. It is believed the present title "**use of white Light for Heat**" is clearly indicative of the invention to which the claims are directed. The applicant uses white as a source for heat.

### **Abstract**

The abstract of disclosure will be corrected on a separate page according to the examiner's observations.

### **Disclosure Objections**

Page 1, line 4 misspelled word: OK

Page 2, line 2 "light bulb" will be inserted

Page 1, lines 3 - 4, The examiner states that *the phrase create light to be transmitted must be changed to "light" for brevity and clarity*. The applicant cannot agree with this requirement. Where in the MPEP and in 37 CFR does it state that it must. It is believed that the recitation in that sentence is appropriate.

Page 2, line 5, the paragraph will be indented and "catch" will be changed to capture.

Page 2, line 16, "cable 17" cannot be changed to "cable 14" because there is no numeral 14 in the drawings. Where does the examiner get the numeral 14 from?

Page 2, line 16, "fiber plastic tube" will be changed as suggested by the examiner.

Page 2, line 17, tube 12 cannot be inserted. This insertion cannot be made because there is no numeral 12 in the drawings. The numeral 17 will be inserted because that numeral is the correct call-out.

Page 3, lines 2 and 3 will be corrected as suggested by the examiner.

The following statement in the examiner's detailed action is not understood:

*The parts list must be deleted and instead each component described in the Detailed Description section of the specification.* Therefore, the applicant cannot make any corrections.

In the following paragraph on page 3, the examiner complains that no numerals 12 - 14 appear in the drawings, the applicant must supply a description. The applicant agrees that the numerals 12 - 14 are not in the drawings and, therefore, no description can be supplied and does not need to be supplied.

### **Drawing Objections**

The examiner objects to the drawings by stating:

Fig. 1: Numerals 4 and 5 and associated lead lines must be added to the figure to refer to the light bulb and metal sleeve, respectively.

Applicant's copy of the drawings clearly show the numeral 4 with a lead line pointing to a light bulb and the numeral 5 with a lead line pointing to a shield with a clear description in the specification. it is not seen how the examiner could look at different drawings without the numerals 4 and 5.

### **Claim Objections**

Claims 1 - 4 are objected to for varies informalities.

The claims will be amended to overcome the informalities and also to overcome the varies rejections as will be explained in applicant's remarks section.

### **Claim rejections under 35 U.S.C. § 112**

As mentioned above, the indefiniteness of the claims will be taken care of by amending the claims.

### **Claim Rejections under 35 U.S.C. 102(b)**

Claim 1 is being anticipated by DE 3707486 as disclosing a water heating device comprising regular light bulbs 7 that heat water flowing in coiled copper pipe 5. Shield 4 surrounds the light bulbs. See the fig. and the abstract.

### **Claim rejection under 35 U.S.C. 103(a)**

Claim 4 is rejected as being unpatentable over DE 3707486 in view of JP 7-98153.

*In view of JP 7-98253 it would have been obvious to one of ordinary skill in the art at the time the invention to serially couple an additional heat converting system in the previously described apparatus to not only gradually and progressively heat the fluid as it travels, but also individually control each heater.*

### **Allowable Subject Matter**

The indication of allowable subject matter is gratefully acknowledged but is held in abeyance because of the amendments made in claim 1.